



KEVIN SMARDZ
Assemblyman 146th District

THE ASSEMBLY
STATE OF NEW YORK
ALBANY

RANKING MINORITY MEMBER
Local Governments Committee
COMMITTEES
Corporations, Authorities &
Commissions
Economic Development, Job Creation,
Commerce and Industry
Education
Election Law

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VERIFIED STATEMENT

of

Hon. Kevin Smardz

New York State Assembly

ENTERED

Office of Proceedings

July 31, 2012

Part of

Public Record

My name is Kevin Smardz. I represent New York's 146th Assembly District, which encompasses parts of Erie County. I have served in the state legislature since 2010.

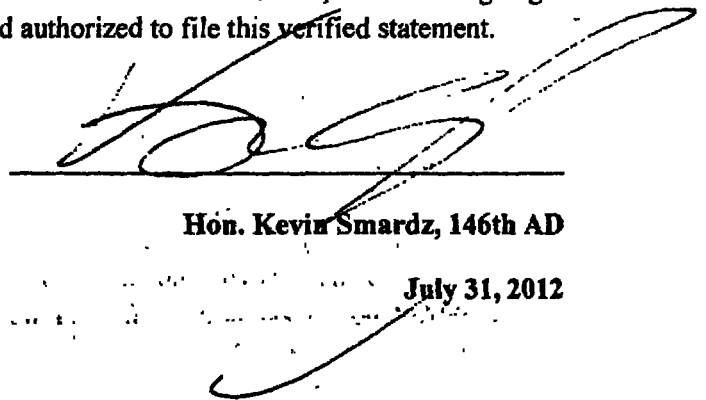
Genesee & Wyoming Inc. recently announced the proposed acquisition of RailAmerica, another short line rail company. Genesee & Wyoming owns and operates several short line and regional railroads in Western New York, where my district resides, and it has a strong reputation as a good corporate citizen in our region. I write in support of this transaction.

Genesee & Wyoming is a great partner in our state freight transportation network. The company has been active in the freight rail industry since it started here in New York in 1899. It has a strong record of buying other short line railroads, investing in them, and developing long term growth opportunities. This in turn helps maintain and grow industrial sector jobs in our communities.

In addition, I have been very impressed with Genesee & Wyoming's focus on safety. It is an industry leader in this area, and this is a direct reflection of its commitment to provide superior service to the communities along its lines. In fact, in 2011, two of its railroads won the Harriman rail safety award.

For these reasons, I strongly support this proposal, and ask for expedited review and approval of it by the Surface Transportation Board.

I, Kevin Smardz declare under penalty of perjury, under the laws of the United States, that the foregoing is true and correct. Further, I certify that I am qualified and authorized to file this verified statement.



Hon. Kevin Smardz, 146th AD

July 31, 2012